

REMARKS

Claims 1-28 are pending in this application, with claims 1, 8, 17, 24 and 26 being independent. Claims 1-7, 27 and 28 have been previously withdrawn, leaving claims 8-26 under consideration. Independent claims 17, 24 and 26 have been amended. Specifically, claim 17 has been amended to correct a typographical error and to recite that the first means and the third means are connected in parallel; claim 24 has been amended to recite that the first detector element and the second detector element are connected in parallel; and claim 26 has been amended to recite that the second detector element and the third detector element are connected in parallel. Claims 18-21 have been amended to correct typographical errors. Support for the amendments may be found in the application at least at Figs. 1 and 2. No new matter has been introduced.

The application specification has been objected to for not including a section having the heading "Cross-reference to Related Applications." Applicants submit that the present application is not required to include such a section because the present application does not claim priority under 35 U.S.C. 120 or 119(e) to any related U.S. or international patent applications. See 37 CFR 1.78. Moreover, even if the present application were to include such a priority claim, the specification does not have to include this section if an application data sheet that includes the priority claim is filed. See 37 CFR 1.77 (b) (2). Applicants note that the present application claims priority to a Japanese patent application under 35 U.S.C. 119 (a)-(d). However, as stated in MPEP 201.13, II(A), the foreign priority claim to the Japanese patent application need not be included in the application specification.

Independent claim 8 and its dependent claims 9, 10, 12, 15 and 16 have been rejected as being unpatentable over Nakae (U.S. Patent Application Publication No. US 2004/0166829) in view of Helms (U.S. Patent NO. 5,952,992). Claim 11, which depends from claim 8, has been rejected as being unpatentable over Nakae in view of Helms and Koops (U.S. Patent No. 6,504,143). Claims 13 and 14, which depend from claim 8, have been rejected as being unpatentable over Nakae in view of Helms and Nakamura (U.S. Patent No. 6,269,256).

Claim 8 recites, among other features, that the portable information tool includes a photodetector including a plurality of detector elements connected in parallel. Applicants request reconsideration and withdrawal of the rejection of claim 8 and its dependent claims because neither Nakae, Helms, Koops, Nakamura, nor any proper combination of the four describes or suggests this feature.

As acknowledged by the Examiner on page 5 of the non-final Office Action, Nakae does not describe or suggest a photodetector that includes a plurality of detector elements connected in parallel. The Examiner turns to Helms as disclosing this feature.

Helms describes an intelligent LCD brightness control system that may be included in a portable PC 10'. As shown in Fig. 4 of Helms, the portable PC 10' includes a first photodetector 14' and a second photodetector 400, which, together, are equated by the Examiner to the recited plurality of detector elements. Contrary to the Examiner's contention, however, Helms does not describe or suggest that the first photodetector 14' and the second photodetector 400 are connected in parallel. Rather, Helms is silent as to the electrical connections between these detectors.

None of the other art cited in the Office Action remedies the deficiency of Nakae and Helms to describe or suggest the above feature. Specifically, Koops, which is relied upon solely for disclosing a photodetector under operation buttons having a light-transparent property, and Nakamura, which is relied upon solely for disclosing a first detector element that detects the brilliance in a first display portion where a first housing and a second housing are folded, do not describe or suggest, either alone or in combination, a photodetector having a plurality of detector elements connected in parallel.

For at least these reasons, applicants request reconsideration and withdrawal of the rejection of claim 8, and its dependent claims 9-16.

Independent claim 17, and its dependent claims 18, 19, 22 and 23, and independent claim 24 have been rejected as being unpatentable over Nakae in view of Helms. Claim 20, which depends from claim 17, has been rejected as being unpatentable over Nakae in view of Helms and Koops. Independent claim 26 and dependent claims 21 and 25, which depend from claims

17 and 24, respectively, have been rejected as being unpatentable over Nakae in view of Helms and Nakamura.

Claim 17 has been amended to recite that the first means and the third means are connected in parallel; claim 24 has been amended to recite that the first detector element and the second detector element are connected in parallel; and claim 26 has been amended to recite that the second detector element and the third detector element are connected in parallel. For at least the above reasons, applicants request reconsideration and withdrawal of the rejection of claims 17, 24 and 26, and their dependent claims 18-23 and 25, because neither Nakae, Helms, Koops, Nakamura, nor any proper combination of the four describes or suggests these features.

Applicants submit that all claims are in condition for allowance.

The \$120 Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account 06-1050.

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Respectfully submitted,



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